



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty Second day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.972 of 2015

1 MOHAN @ KANDASAMY
2 RAJU
3 RAMESH
4 THAIYALNAYAGI

... PETITIONER / ACCUSED NO.2,5 TO 7

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
LALIGUDI POLICE STATION, TRICHY DISTRICT.
CR.NO.34/2015. ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.GANAPATHI SUBRAMANIAN Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

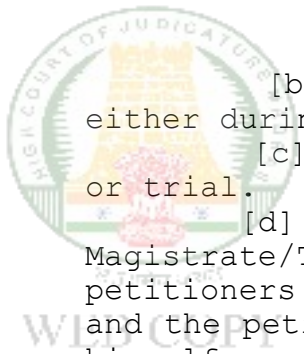
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294 (b), 341, 323, 324, 307 IPC in Crime No.34 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the accused had attacked the defacto complainant with cricket bat.

3. It is represented by the learned Government Advocate (Crl.Side) that the injured has been discharged from hospital and it is the case of case and counter and counter case is registered in Crime No.33 of 2014. It is further represented that no previous case is pending against this petitioners.

4. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Lalgudi, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall stay at Ariyaloor and report before the Police Station, daily at 10.30 a.m and 6.30 p.m for a period of three weeks and thereafter as and when required for interrogation.



[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

sd/-
22/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, LALGUDI.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3.THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4.THE SUB INSPECTOR OF POLICE
LALIGUDI POLICE STATION, TRICHY DISTRICT.

5.THE OFFICER INCHARGE,
ARIYALLOOR TOWN POLICE STATION, ARIYALLOOR.

+1. CC to M/S.P.GANAPATHI SUBRAMANIAN Advocate SR.No.2971
ORDER
IN
CRL OP(MD) No.972 of 2015
Date :22/01/2015

RG.23.01.2015 2P.7C.